

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Philip Sieff, as trustee for the  
next-of-kin of Dawn Marie Pfister,

Case No. 15-cv-419 (PAM/DTS)

Plaintiff,

v.

**ORDER**

Brady Juell,

Defendant.

---

This matter is before the Court on Plaintiff Philip Sieff's Petition for Approval of Distribution. (Docket No. 75.) On April 17, 2017, Sieff accepted Defendant Brady Juell's Rule 68 Offer of Judgment in the amount of \$1,000,001.01, plus costs and reasonable attorneys' fees to settle this litigation brought under 42 U.S.C. § 1983. Sieff, as the independent Trustee for the next-of-kin of Dawn Marie Pfister, now seeks Court approval of his proposed distribution of the \$1,000,001.01 to Pfister's mother, father, and two children.

But federal courts are courts of limited jurisdiction and Sieff has not provided the Court with any constitutional or statutory authority that would allow it to exercise jurisdiction over the distribution of Pfister's estate. Quite to the contrary, the Supreme Court has recognized a "probate exception" to otherwise proper federal jurisdiction. See Marshall v. Marshall, 547 U.S. 293, 308 (2006). The probate exception "reserves to state probate courts . . . the administration of a decedent's estate." Id. at 311. Sieff's request that the Court order 95% of the settlement to go towards Pfister's two children, with the

remaining amount split equally between Pfister's mother and father, as well as order the distributions invested in a tax free annuity and prohibit those annuities from being sold throughout the life of each plan, is exactly the type of issue a state probate court, rather than a United States district court, should determine.

Accordingly, **IT IS HEREBY ORDERED** that Sieff's Petition for Approval of Distribution (Docket No. 75) is **DENIED without prejudice**.

Dated: 5/9/2017

*s/ Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge